

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JENNIFER VANG, on behalf
of herself and all others similarly situated,

Plaintiffs,

v.

Case No. 09-C-842

KOHLER CO.,

Defendant.

AMENDED SCHEDULING ORDER

On January 21, 2011, the parties presented to the court oral arguments on the plaintiffs' Civil L.R. 7(h) motion for clarification (Dkt. 61). Appearing on behalf of the plaintiffs were Larry Johnson and Noah Reinstein and appearing on behalf of the defendant were Kevin Kinney and Keith Kopplin. Having heard oral argument, having reviewed the parties' briefs, and otherwise being fully informed, the court will grant in part and deny in part the plaintiffs' Civil L.R. 7(h) motion for clarification. Additionally, the court will set forth an amended scheduling order, which slightly modifies the parties' joint stipulation filed January 28, 2011.

IT IS HEREBY ORDERED:

1. The plaintiffs' Civil L.R. 7(h) Motion for Clarification (Dkt. 61) is **GRANTED** in part and **DENIED** in part. The defendant shall provide the plaintiffs a class list as provided in the court's order granting Vang's motion for conditional certification and authorizing notice (Dkt. 57). The class list shall include all current and former employees of the defendant who were employed as an Administrative Assistant I, Administrative Assistant II, Area Associate I, Area Associate II, Secretary,

and Senior Secretary since November 29, 2007, in Wisconsin. Excluded from the class list are those employees who worked exclusively in the hospitality division. The defendant shall email the class list to plaintiffs' counsel no later than February 4, 2011, in an Excel document with separate columns for the following items of information: first name, last name, street address, city, state, zip code, phone number, and last four digits of each individual's social security number.

2. The plaintiffs are authorized to send the "Notice of FLSA Lawsuit" (Dkt. 58-1) to the individuals identified in the complete class list in accordance with the court's order granting Vang's motion for conditional certification and authorizing notice (Dkt. 57). The plaintiffs shall send such notice to the complete class list on or before February 18, 2011.

3. The plaintiffs shall file any motion for class certification, pursuant to Fed. R. Civ. P. 23, on or before May 10, 2011.

4. The defendant shall file any motion for decertification of the plaintiffs' conditionally certified collective class on or before July 15, 2011.

5. The parties shall complete all discovery ninety (90) days after the court's order regarding decertification is issued, or December 30, 2011, whichever first occurs. All discovery is to be completed in accordance with Civil L.R. 26(c).

6. All dispositive motions, together with briefs, are to be filed in accordance with Civil L.R. 56 no later than January 31, 2012. In all cases, including those that have been designated for electronic filing, counsel are to provide paper copies of all dispositive motions, such as motions for summary judgment and motions to dismiss, along with supporting documentation directly to the judge's chambers. Such copies are to be clearly marked "COPY" on the first page of each document submitted. In addition, the parties are hereby directed to either file a 3.5" IBM-compatible disk or CD containing the proposed

findings of fact and any responses thereto, as called for under Civil L.R. 56, or, in the alternative, to email such proposed findings of fact and responses thereto in Word Perfect or Word format to CallahanPO@wied.uscourts.gov.

7. A scheduling conference will be conducted on February 6, 2012, at 9:00 a.m., in Room 242 of the U.S. Courthouse, 517 E. Wisconsin Avenue, Milwaukee, WI 53202. If there are unresolved summary judgment motions at that time, the scheduling conference will be cancelled.

SO ORDERED this 1st day of February 2011, at Milwaukee, Wisconsin.

BY THE COURT:

s/ William E. Callahan, Jr.
WILLIAM E. CALLAHAN, JR.
United States Magistrate Judge